

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA**

Glen Johnson, Timothy Gillen, Kyle Jones, Steven Hall, Clayton Johnson, Mark Hubbard, Steve Piper, and Bill Patt as Trustees of the Operating Engineers Local #49 Health and Welfare Fund, Michael R. Fanning as a Fiduciary of the Central Pension Fund of the International Union of Operating Engineers and Participating Employers, Joseph Ryan, Bruce Carlson, Glen Johnson, Frank Frattalone, Lee Hiller, Tony Phillippi, Greg Waffensmith, Mark Ryan, as Trustees of the Local #49 International Union of Operating Engineers and Associated General Contractors of Minnesota Apprenticeship and Training Program, the Operating Engineers Local #49 Health and Welfare Fund, the Central Pension Fund of the International Union of Operating Engineers and Participating Employers, and the Local #49 International Union of Operating Engineers and Associated General Contractors of Minnesota Apprenticeship and Training Program,

Plaintiffs,

vs.

Charps Welding & Fabricating, Inc., Clearwater Energy Group, Inc. f/n/a C & G Holding Company of Clearbrook, Inc., C & G Construction Inc. of Clearbrook, Alpha Oil & Gas Services, Inc., and Kenneth Charpentier, individually,

Defendants.

Court File No: 0:14-cv-02081
(RHK/LIB)

**DECLARATION OF JOSEPH D.
KENYON IN SUPPORT OF
DEFENDANTS' OPPOSITION TO
PLAINTIFFS' MOTION FOR
SUMMARY JUDGMENT**

STATE OF MINNESOTA)
)ss.
COUNTY OF HENNEPIN)

I, Joseph D. Kenyon, being first duly sworn on oath, state and depose as follows:

1. I am over eighteen (18) years of age and am competent to make this Declaration. I have direct knowledge of the statements set out within this Declaration.

2. I am currently a Shareholder and head of the Forensic Accounting and Valuation Services Group at Schechter Dokken Kanter.

3. Attached hereto as **Exhibit A** is a true and correct copy of my December 30, 2016 Expert Report.

4. Attached hereto as **Exhibit B** is a true and correct copy of my February 1, 2017 Expert Report.

I swear under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Dated: March 30, 2017

s/Joseph D. Kenyon
Joseph D. Kenyon